Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1965 Crop of Extra Long Staple Cotton—National Marketing Quota; National Allotment and Apportionment to the States and Counties; Referendum Date

COUNTY NORMAL YIELDS

(a) Section 722.356 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section establishes county normal yields for the 1965 crop of extra long staple cotton.

(b) County normal yields are established in accordance with § 722.4(b) (24) of the marketing quota regulations for the 1964 and succeeding crops of upland and extra long staple cotton (29 F.R. 9767).

Adjustments for abnormal weather conditions or changes in production practices are made for the 1965 crop of extra long staple cotton as follows:

(1) For any year of the 5-year period (1959–1963) for which the yield is less than 80 percent of the simple 5-year average yield, an adjusted annual yield equal to 80 percent of the 5-year average yield is substituted therefor.

(2) For any year of the 5-year period for which the yield is more than 140 percent of the simple 5-year average yield, an adjusted annual yield equal to 140 percent of the 5-year average yield is substituted therefor.

(3) An adjusted 5-year average yield is calculated by averaging the annual yields so adjusted under items 1 and 2.

(4) The 1965 county normal yield is the largest of the adjusted 5-year average yield, the unadjusted county 5-year average yield or 95 percent of the 1964 approved county normal yield.

(c) In order to provide for orderly administration of the extra long staple cotton marketing quota program by the Agricultural Stabilization and Conservation State and county committees, it is essential that § 722.356 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and the 30-day effective date requirements of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and § 722.356 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.356 County normal yields for the 1965 crop of extra long staple cotton.

The following table sets forth the county normal yields which are established for the 1965 crop of extra long staple cotton.

ARIZONA

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Cochise	662	Pima	642
Gila	479	Pinal	539
Graham	641	Santa Cruz	597
Maricopa	529	Yuma	589

CALIFORNIA

Imperial	466	Riverside	513

FLORIDA

Alachua	170	Marion	215
Lake	142	Seminole	165
Madison	141	Sumter	156

GEORGIA

Berrien	278	Lanier	277
Cook	295		

NEW MEXICO

Chaves	404	Luna	422
Dona Ana	474	Otero	372
Eddy	408	Sierra	407
Hidalgo	413		

TEXAS

Brewster	374	Pecos	440
Culberson	567	Presidio	419
El Paso	563	Reeves	464
Hudspeth	476	Ward	458
Loving	448		

PUERTO RICO

Area	Normal yield (pounds per acre)
North	166

(Sec. 301, 78 Stat. 173; 7 U.S.C. 1301)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 25, 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-6914; Filed, July 1, 1965; 8:45 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 813.4; Amdt. 1]

PART 813—ALLOTMENT OF SUGAR QUOTAS, DOMESTIC BEET SUGAR AREA

1965; Miscellaneous Amendments

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 922), hereinafter called the "Act", for the purpose of amending Sugar Regulation 813.4 (30 F.R. 435) which established allotments for the Domestic Beet Sugar Area for the calendar year 1965.

This amendment is necessary to substitute more up to date estimates for estimated data on 1964 crop sugar production, 1964 sugar marketings and January 1, 1965, sugar inventories on the basis of data which have become a part of the official records of the Department and to establish allotments equal to 90 percent of the Domestic Beet Sugar Area Quota on the basis of such revised data.

Effective date. Allotments established in this order are revised for all processors from the allotments established in S.R. 813.4 (30 F.R. 435). To afford adequate opportunity for each processor to revise marketing plans so that the permitted marketings can be made in an orderly manner, it is imperative that this amendment become effective as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and consequently, this amendment shall be effective upon publication in the FEDERAL REGISTER.

In accordance with paragraph (5) of the findings and conclusions set forth in S.R. 813.4 (30 F.R. 435) and pursuant to paragraph (e) of such regulation, paragraphs (3) and (4) of such findings and conclusions are amended as follows.

1. The table included in Part II of paragraph (3) of the findings and conclusions is amended to read as follows:

Processor	Crop year	Reserve acreage		Quantity of sugar related to reserve acreage		
				Allotted	Planted [1]	
		Allotted	Planted [1]	Short tons, raw value	Short tons, raw value	Hundredweight refined equivalent
Reserve allocated and processing started in 1963						
Spreckels Sugar Co., Division of American Sugar Co.	1963	19,000	17,141	45,700	41,229	770,632
	1964	19,000	18,828	45,700	45,286	846,467
Reserve allocated and processing started in 1964						
Buckeye Sugars Inc.	1964	2,415	1,569	4,430	3,428	64,075
	1965	2,415	2,415	4,430	4,430	82,840
Holly Sugar Corp.	1964	24,730	19,850	50,000	40,134	750,168
	1965	24,730	24,730	50,000	50,000	934,580
Michigan Sugar Co.	1964	4,030	3,530	6,850	6,000	112,150
	1965	4,030	3,039	6,850	5,166	96,561
Utah-Idaho Sugar Co.	1964	8,140	4,060	18,020	8,988	168,000
	1965	8,140	7,134	18,020	15,793	295,196
Reserve allocated and processing to start in 1965						
American Crystal Sugar Co.	1965	31,000	31,000	50,000	50,000	934,580
Empire Sugar Co.	1965	29,800	23,035	50,000	39,042	729,757

[1] 1964 and 1965 data subject to revision.

2. Tables 1 and 2 of paragraph (4) of the findings and conclusions are amended to read as follows:

TABLE 1

Processor	Estimated processings of sugar from 1964-crop beets		Average marketings within the quota 1960–64		Base allotments		Jan. 1, effective inventories hundredweight, refined [3]			Adjustments to base allotments [4]		Tentative allotments
	Hundredweight refined [1]	Percent of total	Hundredweight refined [2]	Percent of total	Percent of total (col. 2× 0.75+col. 4×0.25)	Short tons, raw value (col. 5× quota)	1965 estimated	1960–64 average adjusted to col. 7 total	Inventory imbalances col. 7—col. 8	Hundredweight refined	Short tons, raw value	Short tons, raw value (col. 6+or —col. 11)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Amalgamated Sugar Co., The	7,655,199	12.2717	6,631,252	13.3479	12.5408	332,331	6,333,602	7,228,730	−895,128	−140,754	−7,530	324,801
American Crystal Sugar Co	6,693,860	10.7306	6,057,223	12.1924	11.0960	294,044	5,150,394	6,021,936	−871,542	−137,045	−7,332	286,712
Buckeye Sugars, Inc	349,938	.5610	352,257	.7091	.5980	15,847	93,540	192,387	−98,847	−15,543	−832	15,015
Empire Sugar Co	182,439	.2925	182,439	.3672	.3112	8,247	0	0	0	0	0	8,247
Great Western Sugar Co., The	14,850,757	23.8065	12,492,164	25.1452	24.1412	639,742	12,942,069	13,933,076	−991,007	−155,831	−8,337	631,405
Holly Sugar Corp	10,250,000	16.4312	7,683,347	15.4668	16.1901	429,038	8,491,690	7,468,646	+1,023,044	+69,045	+3,694	432,732
Layton Sugar Co	348,281	.5583	264,061	.5315	.5516	14,617	300,097	305,430	−5,333	−839	−45	14,572
Michigan Sugar Co	1,950,569	3.1268	1,666,344	3.3541	3.1836	84,365	1,553,194	1,663,309	−110,115	−17,315	−926	83,439
Monitor Sugar Co., Division Robert Gage Coal Co	952,068	1.5262	775,854	1.5617	1.5351	40,680	815,511	842,416	−26,905	−4,231	−226	40,454
National Sugar Manufacturing Co., The	[5] 183,382	.2940	219,706	.4422	.3310	8,772	[5] 98,769	191,353	−92,584	−14,558	−779	7,993
Spreckels Sugar Co., Division of American Sugar Co	9,600,000	15.3893	6,135,083	12.3492	14.6293	387,677	6,627,493	4,426,762	+2,200,731	+439,514	+23,514	411,191
Union Sugar Division, Consolidated Foods Corp	3,250,000	5.2099	2,079,517	4.1858	4.9539	131,278	2,685,374	2,129,162	+556,212	+85,824	+4,591	135,869
Utah-Idaho Sugar Co	6,114,621	9.8020	5,140,376	10.3469	9.9382	263,362	4,865,442	5,553,968	−688,526	−108,267	−5,792	257,570
Total	62,381,114	100.0000	49,680,223	100.0000	100.0000	2,650,000	49,957,175	49,957,175	±3,779,987	±594,383	±31,799	2,650,000

[1] Includes 25 percent of the quantity pursuant to reserve allocations for new facilities beginning with the 1965 crop equal to 233,645 cwts. for American Crystal and 182,439 cwts. for Empire Sugar Co.

[2] The following quantities pursuant to reserve allocations have been added to average marketings: 233,645 cwts. for American Crystal; 60,871 cwts. for Buckeye; 182,439 cwts. for Empire Sugar Co.; 712,660 cwts. for Holly; 106,542 cwts. for Michigan; 282,992 cwts. for Spreckels and 159,600 cwts. for Utah-Idaho.

[3] All production attributed to reserve acreage has been deducted from inventories as follows: Jan. 1, 1965, estimated effective inventories were reduced 48,056 cwts. for Buckeye; 562,626 cwts. for Holly; 84,112 cwts. for Michigan; 423,234 cwts. for Spreckels and 126,000 cwts. for Utah-Idaho. The 1960–64 average Jan. 1 effective inventory was reduced 77,063 cwts. for Spreckels.

[4] Plus (+) adjustments in col. 10=(Extent (+) quantity in col. 9 exceeds 10 percent of col. 8)×(25 percent); (−) adjustments in col. 10=the total of (+) adjustments in col. 10, prorated to processors on the basis of minus (−) quantities in col. 9. Plus (+)and minus (−) adjustments in col. 11=(col. 10 adjustments)×(0.0535).

[5] Prior to the application of the "hardship" provision, estimated 1964-crop processings were 146,706 cwts. and Jan. 1, 1965, effective inventory was 62,093 cwts. for the National Sugar Manufacturing Co.

TABLE 2

Processor	Estimated processings of sugar from 1964-crop beets		Average marketings within the quota 1960–64		Base allotments		Jan. 1, effective inventories hundredweight, refined [4]			Adjustments to base allotments [5]		Tentative allotments
	Hundredweight refined [1]	Percent of total	Hundredweight refined [2]	Percent of total	Percent of total (col. 2× 0.75+col. 4×0.25)	Short tons, raw value [3]	1965 estimated	1960–64 average adjusted to col. 7 total	Inventory imbalances col. 7—col. 8	Hundredweight refined	Short tons, raw value	Short tons, raw value (col. 6+ or— col. 11)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Amalgamated Sugar Co., The	7,655,199	12.6642	6,631,252	13.8824	12.9687	329,708	6,333,602	7,228,730	−895,128	−140,754	−7,530	322,178
American Crystal Sugar Co	6,460,215	10.6873	5,823,578	12.1915	11.0634	293,769	5,150,394	6,021,936	−871,542	−137,045	−7,332	286,437
Buckeye Sugars, Inc	285,863	.4729	288,182	.6033	.5055	16,531	93,540	192,387	−98,847	−15,543	−832	15,699
Empire Sugar Co	0	.0000	0	.0000	.0000	9,761	0	0	0	0	0	9,761
Great Western Sugar Co., The	14,850,757	24.5681	12,492,164	26.1521	24.9641	634,671	12,942,069	13,933,076	−991,007	−155,831	−8,337	626,334
Holly Sugar Corp	9,499,832	15.7159	6,933,779	14.5157	15.4157	434,519	8,491,690	7,468,646	+1,023,044	+69,045	+3,694	438,213
Layton Sugar Co	348,281	.5762	264,061	.5528	.5704	14,501	300,097	305,430	−5,333	−839	−45	14,456
Michigan Sugar Co	1,838,419	3.0413	1,554,194	3.2537	3.0944	84,462	1,553,194	1,663,309	−110,115	−17,315	−926	83,536
Monitor Sugar Co., Division Robert Gage Coal Co	952,068	1.5750	775,854	1.6242	1.5873	40,354	815,511	842,416	−26,905	−4,231	−226	40,128
National Sugar Manufacturing Co., The	[6] 183,382	.3034	219,706	.4600	.3426	8,710	[6] 98,769	191,353	−92,584	−14,558	−779	7,931
Spreckels Sugar Co., Division of American Sugar Co	9,176,766	15.1814	5,732,704	12.0013	14.3864	388,394	6,627,493	4,426,762	+2,200,731	+439,514	+23,514	411,908
Union Sugar Division, Consolidated Foods Corp	3,250,000	5.3766	2,079,517	4.3534	5.1208	130,188	2,685,374	2,129,162	+556,212	+85,824	+4,591	134,779
Utah-Idaho Sugar Co	5,946,621	9.8377	4,972,376	10.4096	9.9807	264,432	4,865,442	5,553,968	−688,526	−108,267	−5,792	258,640
Total	60,447,403	100.0000	47,767,367	100.0000	100.0000	2,650,000	49,957,175	49,957,175	±3,779,987	±594,383	±31,799	2,650,000

[1] The following quantities pursuant to reserve allocations were deducted from estimated 1964 crop processings: 64,075 cwts. for Buckeye; 750,168 cwts. for Holly; 112,150 cwts. for Michigan; 423,234 cwts. for Spreckels and 168,000 cwts. for Utah-Idaho.

[2] The following quantities pursuant to reserve allocation were deducted from 1960–64 average marketings: 3,204 cwts. for Buckeye; 37,508 cwts. for Holly; 5,608 cwts. for Michigan; 119,387 cwts. for Spreckels and 8,400 cwts. for Utah-Idaho.

[3] Column (5)×(quota less total reserve allocation of 107,664 tons) plus individual reserve allocation of 12,500 tons for American Crystal; 3,679 tons for Buckeye; 9,761 tons for Empire; 42,600 tons for Holly; 5,792 tons for Michigan; 22,643 tons for Spreckels and 10,089 tons for Utah-Idaho.

[4] All production attributed to reserve acreage has been deducted from inventories as follows: Jan. 1, 1965, estimated effective inventories were reduced 48,056 cwts. for Buckeye; 562,626 cwts. for Holly; 84,112 cwts. for Michigan; 423,234 cwts. for Spreckels and 126,000 cwts. for Utah-Idaho. The 1960–64 average Jan. 1 effective inventory was reduced 77,063 cwts. for Spreckels.

[5] Plus (+) adjustments in col. 10=(Extent (+) quantity in col. 9 exceeds 10 percent of col. 8)×(25 percent), minus adjustments in col. 10=the total of (+) adjustments in col. 10, prorated to processors on the basis of minus (−) quantities in col. 9. Plus (+) and minus (−) adjustments in col. 11=(col. 10 adjustments)×(0.0535).

[6] Prior to the application of the "hardship" provision, estimated 1964-crop processings were 146,706 cwts. and Jan. 1, 1965, effective inventory was 62,093 cwts. for the National Sugar Manufacturing Co.

Pursuant to the provisions of section 205(a) of the Act and in accordance with paragraph (e) of § 813.4 of this chapter, paragraph (a) of such § 813.4 is amended to read as follows:

§ 813.4 Allotment of the 1965 Sugar Quota for the Domestic Beet Sugar Area.

(a) *Allotments.* For the period January 1, 1965, until the date allotments of the entire 1965 calendar year sugar quota for the Domestic Beet Sugar Area are prescribed, 90 percent of the 1965 quota for the Domestic Beet Sugar Area is hereby allotted to the following proces-

sors in the quantities which appear opposite their respective names:

Processor	Short tons, raw value	Equivalent in hundredweight refined beet sugar
Amalgamated Sugar Co., The	291,141	5,441,888
American Crystal Sugar Co	257,916	4,820,860
Buckeye Sugars, Inc	13,821	258,336
Empire Sugar Co	8,104	151,477
Great Western Sugar Co., The	565,982	10,579,103
Holly Sugar Corp	391,925	7,325,701
Layton Sugar Co	13,063	244,168
Michigan Sugar Co	75,139	1,404,467
Monitor Sugar Division, Robert Gage Coal Co	36,262	677,794
National Sugar Manufacturing Co., The	7,166	133,944
Spreckels Sugar Co., Division of American Sugar Co	370,395	6,923,271
Union Sugar Division, Consolidated Foods Corp	121,792	2,276,486
Utah-Idaho Sugar Co	232,294	4,341,944
Subtotal	2,385,000	44,579,439
Unallotted	265,000	4,953,271
Total	2,650,000	49,532,710

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926; as amended, 928; 7 U.S.C. 1115, 1119)

Done at Washington, D.C., this 25th day of June 1965.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 65-6915; Filed, July 1, 1965; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS

Changes in List of Public Stockyards

Pursuant to the provisions of sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.14(a) of Part 78, Title 9, Code of Federal Regulations, is hereby amended in the following respects:

1. The following stockyard name is added in alphabetical order to the list of public stockyards set forth in § 78.14(a):

MINNESOTA

Pipestone Livestock Auction Market—Pipestone.

2. The following stockyard names are deleted from the list of public stockyards set forth in § 78.14(a):

ALABAMA

W. H. Hodges, Inc.—Montgomery.

ARIZONA

Tovrea Stock Yards—Tovrea.

IDAHO

Boise Valley Livestock Commission Co.—Caldwell.

3. The following stockyard names set forth in § 78.14(a) are amended to read:

ARKANSAS

Former name	*New name*
Producers Stockyards, Inc., North Little Rock.	Arkansas National Stockyards, North Little Rock.

WASHINGTON

Old Spokane Union Stockyards, Spokane.	Stockland Union Stockyards, Spokane.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 121, 125; 29 F.R. 16210; 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The foregoing amendment adds the name of one stockyard to the list of public stockyards set forth in 9 CFR 78.14(a), as Federal inspection is now being maintained at this stockyard. The amendment also deletes the names of three stockyards from such list, because Federal inspection is no longer maintained at these stockyards. In addition, the amendment reflects recent changes in the names of two other stockyards.

Inasmuch as notice and other public procedure regarding the amendment would not make additional information available to the Department and since interested persons should be informed promptly of such changes, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), that notice and other public procedure regarding the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 29th day of June 1965.

DONALD MILLER,
Acting Director, Animal Disease Eradication Division, Agricultural Research Service.

[F.R. Doc. 65-6995; Filed, July 1, 1965; 8:48 a.m.]

Chapter III—Consumer and Marketing Service—Meat Inspection, Department of Agriculture

SUBCHAPTER A—MEAT INSPECTION REGULATIONS

PART 318—REINSPECTION AND PREPARATION OF PRODUCTS

Approval of Substances for Use in Preparation of Meat Food Products; Glucono Delta Lactone

On March 10, 1965, there was published in the FEDERAL REGISTER (30 F.R. 3273) a notice of proposed amendment to § 318.7 of the Federal Meat Inspection Regulations (9 CFR 318.7) to permit the use of glucono delta lactone in certain meat products. After due consideration of all relevant matters in connection with such notice and under the authority of the Meat Inspection Act as amended and extended (21 U.S.C. 71-96) and section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306), the chart in subparagraph (4) of paragraph (b) of § 318.7 of said regulations is amended by inserting the following information with respect to glucono delta lactone, as indicated below in the portion of the chart relating to "Curing agents":

§ 318.7 Approval of substances for use in preparation of meat food products.

* * * * * * *

(b) * * *

(4) * * *

Class of substance	Substance	Purpose	Products	Amounts
* * *	* * *	* * *	* * *	* * *
Curing agents.	* * *	* * *	* * *	* * *
	Glucono delta lactone.	To accelerate color fixing.	Cured, comminuted meat or meat food product.	8 ounces to each 100 pounds of meat or meat byproduct.
* * *	* * *	* * *	* * *	* * *

This amendment relieves restrictions by permitting the use of limited amounts of glucono delta lactone in any cured, comminuted meat or meat food product prepared under Federal meat inspection. Notice of proposed rule making with respect to the use of this substance in frankfurter and bologna sausage was published in the FEDERAL REGISTER. It does not appear that further public rule-making procedure would make additional information available to this Department. The amendment should be made effective as soon as possible in order to be of maximum benefit to persons subject to the restriction which is being relieved. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) it is found upon good cause that further public rule-making procedure is unnecessary and impracticable and since the amendment relieves restrictions it may be made effective less than 30 days after its publication in the FEDERAL REGISTER.

The amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 28th day of June 1965.

R. K. SOMERS,
Acting Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 65-6968; Filed, July 1, 1965; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 1695; Amdt. 21-2]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Export Airworthiness Approval Procedures

The purpose of this amendment is to prescribe the regulations and procedures applicable to the issuance of export certificates of airworthiness and other export airworthiness approvals. This action was published as a notice of proposed rule making and circulated as Federal Aviation Agency Notice No. 63-15 (28 F.R. 3728). It was proposed to amend Part 1 of the Civil Air Regulations. However, Part 1 has been recodified as Part 21 of the Federal Aviation Regulations and this rule is issued in its recodified form as an amendment to Part 21.

Section 1102 of the Federal Aviation Act of 1958 requires the Administrator to exercise and perform his powers and duties under the Act consistent with any obligation assumed by the United States in any treaty, convention, or agreement that may be in force between the United States and any foreign country or countries.

The United States has concluded reciprocal agreements with a number of foreign countries governing the import and export of aeronautical products. These agreements provide for the mutual validation or acceptance of export certificates of airworthiness issued for aeronautical products which are manufactured in and meet the airworthiness requirements of the country of export and any special requirements of the importing country.

The export airworthiness approval procedures set forth in the regulation implement the reciprocal agreements and, for the most part, are the same as the procedures previously published by the FAA in a Manual of Procedures. An export airworthiness approval issued by the FAA is not to be confused with nor does it take the place of an export license which is required and issued by the United States Department of Commerce or the United States Department of State. Furthermore, an export certificate of airworthiness is not an airworthiness certificate under the Act, and does not authorize the operation of aircraft for which it is issued.

Numerous comments have been received in response to the notice of proposed rule making and changes have been made in the regulation in the light of such comments. One of the comments received in response to Notice 63-15 questioned the need for the regulation, suggesting that an overhaul of the former Manual of Procedures would be adequate. The export airworthiness approval procedures set forth in this regulation, as well as in the former Manual of Procedures, are designed to implement the reciprocal agreements between the United States and various foreign countries. Therefore, compliance with such requirements is necessary in order to obtain an export airworthiness approval from the FAA. As indicated in the preamble to Notice 63-15, publication of this regulation is necessary in order to provide the public with the current requirements concerning export airworthiness approvals.

Another comment objected to the proposed inclusion of the special requirements of the various foreign countries in an Appendix to the regulation. It was stated that such inclusion would make the special requirements mandatory with respect to the aircraft manufacturers. The FAA has decided to set forth the special requirements of the foreign countries as well as other necessary information concerning this regulation in an Advisory Circular rather than an Appendix. However, it should be pointed out that the special requirements of the various foreign countries are a part of the reciprocal agreements between the United States and such foreign countries and as such are mandatory requirements for the issuance of airworthiness approvals by the FAA regardless of whether or not they are set forth in an Appendix.

A comment was also received which suggested that the Export Certificate of Airworthiness should constitute an airworthiness certificate so that the aircraft could be operated for training purposes and for the purpose of ferrying the aircraft. However, many of the aircraft for which an export certificate of airworthiness is requested are aircraft which have been sold to a foreign purchaser and the title to the aircraft has passed to such purchaser. Such aircraft are not eligible for U.S. airworthiness certificates and if the suggestion were incorporated into this regulation, these aircraft would not be eligible for Export Certificates of Airworthiness. This would defeat the purpose of the regulation.

There was an objection to the proposed time limit on the duration of Special Export Airworthiness Approvals on the grounds that 60 days does not allow sufficient time in which to complete most sales transactions. It was recommended that there be no time limit established for such approvals. Upon further consideration, the Agency agrees that a specific time limit should not be necessary in the light of the other provisions of this regulation and the 60-day time limit has been deleted with respect to Special Export Airworthiness Approvals.

This regulation requires an applicant for an export certificate of airworthiness for a Class I product to show that the product meets certain specified requirements. However, as proposed, one of the requirements specifically provided that the required showing be made at the time the application for the certificate is made. This was considered appropriate even though a showing of compliance with such requirement would obviously require that the product be submitted for examination by the Agency, because it was thought that the filing of the application and the presentation of the product for export approval would occur at the same time. However, the Agency is now aware that there may be instances involving a substantial period of time between the filing of the application and the presentation of the product for examination by the Agency. Therefore the proposal has been revised to make it clear that the required showing of compliance by the applicant for the export approval of a Class I product must, in all cases, be made at the time the product is submitted to the Administrator for such export approval.

With respect to the requirement that used engines and propellers must be newly overhauled in order to be covered by an FAA export approval, it was recommended that such products should be issued export approval without having to be newly overhauled if they were in a serviceable condition. The Agency sees some merit in this recommendation and the proposal has been relaxed with respect to used engines and propellers that are being exported as a part of a certificated aircraft. As now written, such engines and propellers are required to have been overhauled within the last 500 hours' time in service, the overhaul period recommended by the manufacturer, or the overhaul period established by the Administrator, whichever is the shortest. Used engines and propellers not being exported as part of a certificated aircraft must still be newly overhauled. In addition, the term "newly overhauled" has been clarified in line with industry's suggestion. As now defined, the term means that the product has not been operated, except for tests, since overhaul.

In connection with the performance of the periodic inspections and overhauls required by this regulation, the proposal stated that such inspections and overhauls must be performed and approved by, among others, certificated air carriers possessing adequate overhaul facilities and having a maintenance organization appropriate to the product involved. However, under the current provisions of Part 43 and Parts 121 and 127, an air carrier is authorized only to perform and approve maintenance, preventive maintenance, and alterations as provided for in its continuous airworthiness maintenance program and its maintenance manual and to perform these functions for another air carrier as provided in the continuous airworthiness maintenance program and the maintenance manual of the other air carrier. Therefore, in view of the foregoing limitations on the authority of air carriers to perform and approve periodic inspections and overhauls, the proposal requiring that such inspections and alterations be performed by air carriers has been deleted. It should be noted, however, that this deletion does not affect air carriers who also hold repair station certificates.

There was also some opposition to the requirement that copies of manufacturers' service bulletins must be furnished with each application for export approval of a Class I product. It was pointed out that this requirement is too broad and is unnecessary since, in the past, the practice has been to provide only a listing of the AD status of the aircraft. The Agency agrees that to require the manufacturer to furnish all the service bulletins applicable to a Class I

product is not necessary and that the required information is that related to the airworthiness directives. Therefore, the regulation has been revised to specifically provide that the applicant for export approval need only furnish evidence of compliance with the applicable airworthiness directive.

It was also suggested that an exporter should not be required to forward all the historical records pertaining to the aircraft through governmental channels. It was stated that certain documents must be shipped with the aircraft so that they will be available for certification of the aircraft in a foreign country. The FAA did not intend to require that the historical documents be shipped separately from the product to which they apply. The regulation has, therefore, been clarified to permit the exporter to forward the documents by any means which he considers appropriate so long as such means is consistent with the special requirements of the importing country.

In addition to the foregoing, the proposal has been changed to provide for the issue of export approval for Class III products. Under the proposal, Class III products were not eligible for export approval because of the nature of such products. However, it has subsequently been determined that certain Class III products should be eligible for airworthiness approval. Therefore, the regulation has been revised to permit manufacturers holding production approval and employing persons authorized by the Administrator to issue Class III approvals, to obtain such approvals.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 21 of the Federal Aviation Regulations (14 CFR Part 21) is amended effective August 30, 1965, as follows:

1. By amending paragraphs (a)(1) and (b) of § 21.1 to read as follows:

§ 21.1 Applicability.

(a) * * *

(1) Procedural requirements for the issue of type certificates and changes to those certificates; the issue of production certificates; the issue of airworthiness certificates; and the issue of export airworthiness approvals.

* * * * *

(b) For the purposes of this part, the word "product" means an aircraft, aircraft engine, or propeller. In addition, for the purposes of Subpart L only, it includes components and parts of aircraft, of aircraft engines, and of propellers; also parts, materials, and appliances, approved under the Technical Standard Order system.

2. By adding a new Subpart L to read as follows:

Subpart L—Export Airworthiness Approvals

Sec.
21.321 Applicability.
21.323 Eligibility.
21.325 Export airworthiness approvals.
21.327 Application.
21.329 Issue of export certificates of airworthiness for Class I products.
21.331 Issue of airworthiness approval tags for Class II products.
21.333 Issue of export airworthiness approval tags for Class III products.
21.335 Responsibilities of exporters.
21.337 Performance of inspections and overhauls.
21.339 Special export airworthiness approval for aircraft.

AUTHORITY: The provisions of this Subpart L issued under secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, 1423.

Subpart L—Export Airworthiness Approvals

§ 21.321 Applicability.

(a) This subpart prescribes—

(1) Procedural requirements for the issue of export airworthiness approvals; and

(2) Rules governing the holders of those approvals. (b) For the purposes of this subpart—

(1) A Class I product is a complete aircraft, aircraft engine, or propeller, which has been type certificated in accordance with the applicable Federal Aviation Regulations and for which Federal Aviation specifications or type certificate data sheets have been issued.

(2) A Class II product is a major component of a Class I product (e.g., wings, fuselages, empennage assemblies, landing gears, power transmissions, control surfaces, etc.), the failure of which would jeopardize the safety of a Class I product; or any part, material, or appliance, approved and manufactured under the Technical Standard Order (TSO) system in the "C" series.

(3) A Class III product is any part or component which is not a Class I or Class II product and includes standard parts, i.e., those designated as AN, NAS, SAE, etc.

(4) The words "newly overhauled" when used to describe a product means that the product has not been operated or placed in service, except for functional testing, since having been overhauled, inspected and approved for return to service in accordance with the applicable Federal Aviation Regulations.

§ 21.323 Eligibility.

(a) Any exporter or his authorized representative may obtain an export airworthiness approval for a Class I or Class II product.

(b) Any manufacturer may obtain an export airworthiness approval for a Class III product if the manufacturer—

(1) Has in his employ a designated representative of the Administrator who has been authorized to issue that approval; and

(2) Holds for that product—

(i) A production certificate;

(ii) An approved production inspection system;

(iii) An FAA Parts Manufacturer Approval (PMA); or

(iv) A Technical Standard Order authorization.

§ 21.325 Export airworthiness approvals.

(a) *Kinds of approvals.* (1) Export airworthiness approval of Class I products is issued in the form of Export Certificates of Airworthiness, FAA Form 26. Such a certificate does not authorize the operation of aircraft.

(2) Export airworthiness approval of Class II and III products is issued in the form of Airworthiness Approval Tags, FAA Form 186.

(b) *Products which may be approved.* Export airworthiness approvals are issued only for—

(1) New aircraft that are assembled and that have been flight-tested, and other Class I products located in the United States, except that export airworthiness approval may be issued for an airplane type certificated under Part 23 or a glider that is type certificated in accordance with § 21.23 and manufactured under a production certificate without that aircraft having been assembled or flight-tested.

(2) Used aircraft possessing a valid U.S. airworthiness certificate, or other used Class I products that have been maintained in accordance with the applicable CAR's or FAR's and are located in a foreign country, if the Administrator finds that the location places no undue burden upon the Agency in administering the provisions of this regulation.

(3) Class II and III products that are manufactured and located in the United States.

§ 21.327 Application.

(a) Except as provided in paragraph (b) of this section, an application for export airworthiness approval for a Class I or Class II product is made on a form and in a manner prescribed by the Administrator and is submitted to the appropriate Flight Standards District Office or to the nearest international field office.

(b) A manufacturer holding a production certificate may apply orally to the appropriate Flight Standards District Office or the nearest international field office for export airworthiness approval of a Class II product approved under his production certificate.

(c) Application for export airworthiness approval of Class III products is made to the designated representative of the Administrator authorized to issue those approvals.

(d) A separate application must be made for—

(1) Each aircraft;

(2) Each engine and propeller, except that one application may be made for more than one engine or propeller, if all are of the same type and model and are exported to the same purchaser and country; and

(3) Each type of Class II product, except that one application may be used for more than one type of Class II product when—

(i) They are separated and identified in the application as to the type and model of the related Class I product; and

(ii) They are to be exported to the same purchaser and country.

(e) Each application must be accompanied by a written statement from the importing country that it will validate the export airworthiness approval if the product being exported is—

(1) An aircraft manufactured outside the United States and being exported to a country with which the United States has a reciprocal agreement concerning the validation of export certificates;

(2) An unassembled aircraft which has not been flight-tested; or

(3) A product that does not meet the special requirement of the importing country.

(f) Each application for export airworthiness approval of a Class I product must include, as applicable:

(1) A Statement of Conformity, FAA Form 317, for each new product that has not been manufactured under a production certificate.

(2) A weight and balance report, with a loading schedule when applicable, for each aircraft in accordance with Part 43 of this chapter. For transport aircraft and all rotorcraft, this report must be based on an actual weighing of the aircraft within the preceding twelve months, but after any major repairs or alterations to the aircraft. Changes in equipment not classsed as major changes that are made after the actual weighing may be accounted for on a "computed" basis and the report revised accordingly. Manufacturers of new nontransport category airplanes may submit reports having computed weight and balance data, in place of an actual weighing of the aircraft, if fleet weight control procedures approved by the FAA have been established for such airplanes. In such a case, the following statement must be entered in each report: "The weight and balance data shown in this report are computed on the basis of Federal Aviation Agency approved procedures for establishing fleet weight averages." The weight and balance report must include an equipment list showing weights and moment arms of all required and optional items of equipment that are included in the certificated empty weight.

(3) A maintenance manual for each new product when such a manual is required by the applicable airworthiness rules.

(4) Evidence of compliance with the applicable airworthiness directives. A suitable notation must be made when such directives are not complied with.

(5) When temporary installations are incorporated in an aircraft for the purpose of export delivery, the application form must include a general description of the installations together with a statement that the installation will be removed and the aircraft restored to the approved configuration upon completion of the delivery flight.

(6) Historical records such as aircraft and engine log books, repair and alteration forms, etc., for used aircraft and newly overhauled products.

(7) For products intended for overseas shipment, the application form must describe the methods used, if any, for the preservation and packaging of such products to protect them against corrosion and damage while in transit or storage. The description must also indicate the duration of the effectiveness of such methods.

(8) The Airplane or Rotorcraft Flight Manual when such material is required by the applicable airworthiness regulations for the particular aircraft.

(9) A statement as to the date when title passed or is expected to pass to a foreign purchaser.

(10) The data required by the special requirements of the importing country.

§ 21.329 Issue of export certificates of airworthiness for Class I products.

An applicant is entitled to an export certificate of airworthiness for a Class I product if he shows that at the time the product is submitted to the Administrator for export airworthiness approval, it meets the following requirements, as applicable:

(a) New or used aircraft manufactured in the United States must meet the airworthiness requirement for a standard U.S. airworthiness certificate under § 21.183, or meet the airworthiness certification requirements for a "restricted" airworthiness certificate under § 21.185, subject to the special requirements of the importing country.

(b) New or used aircraft manufactured outside the United States must have a valid U.S. standard airworthiness certificate.

(c) Used aircraft must have undergone a periodic inspection and be approved for return to service in accordance with the applicable provisions of Part 43. The inspection must have been performed and properly documented within 30 days before the date the application is made for an export certificate of airworthiness.

(d) New engines and propellers must conform to the type design and must be in a condition for safe operation.

(e) Used engines, propellers, and appliances that are part of a certificated aircraft and are being exported with that aircraft must have been overhauled within the last 500 hours' time in service, unless a shorter overhaul period has been recommended by the manufacturer or established by the Administrator, in which case the overhaul must have been performed within the shorter of these overhaul periods.

(f) Used engines and propellers which are not being exported as part of a certificated aircraft must have been newly overhauled.

(g) The special requirements of the importing country must have been met.

§ 21.331 Issue of airworthiness approval tags for Class II products.

An applicant is entitled to an export airworthiness approval tag for Class II products if he shows that—

(a) The products are new or have been newly overhauled and conform to the approved design data;

(b) The products are in a condition for safe operation;

(c) The products are identified with at least the manufacturer's name, part number, model designation (when applicable), and serial number or equivalent; and

(d) The products meet the special requirements of the importing country.

§ 21.333 Issue of export airworthiness approval tags for Class III products.

An applicant is entitled to an export airworthiness approval tag for Class III products if he shows that—

(a) The products conform to the approved design data applicable to the Class I or Class II product of which they are a part;

(b) The products are in a condition for safe operation; and

(c) The products comply with the special requirements of the importing country.

§ 21.335 Responsibilities of exporters.

Each exporter receiving an export airworthiness approval for a product shall—

(a) Forward to the air authority of the importing country all documents and information necessary for the proper operation of the products being exported, e.g., Flight Manuals, Maintenance Manuals, Service Bulletins, and assembly instructions, and such other material as is stipulated in the special requirements of the importing country. The documents, information, and material may be forwarded by any means consistent with the special requirements of the importing country;

(b) Forward the manufacturer's assembly instructions and an FAA-approved flight test checkoff form to the air authority of the importing country when unassembled aircraft are being exported. These instructions must be in sufficient detail to permit whatever rigging, alignment, and ground testing is necessary to ensure that the aircraft will conform to the approved configuration when assembled;

(c) Remove or cause to be removed any temporary installation incorporated on an aircraft for the purpose of export delivery and restore the aircraft to the approved configuration upon completion of the delivery flight;

(d) Secure all proper foreign entry clearances from all the countries involved when conducting sales demonstrations or delivery flights; and

(e) When title to an aircraft passes or has passed to a foreign purchaser—

(1) Request cancellation of the U.S. registration and airworthiness certificates, giving the date of transfer of title, and the name and address of the foreign owner;

(2) Return the Registration and Airworthiness Certificates, FAA Form 500 and Form 1362, to the FAA; and

(3) Submit a statement certifying that the United States' identification and registration numbers have been removed from the aircraft in compliance with § 45.33 [New].

§ 21.337 Performance of inspections and overhauls.

Unless otherwise provided for in this subpart, each inspection and overhaul required for export airworthiness approval of Class I and Class II products must be performed and approved by one of the following:

(a) The manufacturer of the product.

(b) An appropriately certificated domestic repair station.

(c) An appropriately certificated foreign repair station having adequate overhaul facilities, and maintenance organization appropriate to the product involved, when the product is a Class I product located in a foreign country and an international office of Flight Standards Service has approved the use of such foreign repair station.

§ 21.339 Special export airworthiness approval for aircraft.

(a) A special export certificate of airworthiness may be issued for an aircraft located in the United States that is to be flown to several foreign countries for the purpose of sale, without returning the aircraft to the United States for the certificate if—

(1) The aircraft possesses a Standard U.S. Certificate of Airworthiness (FAA Form 1362);

(2) The owner files an application as required by § 21.32 except that items 3 and 4 of the application (FAA Form 306) need not be completed;

(3) The aircraft is inspected by the Administrator before leaving the United States and is found to comply with all the applicable requirements;

(4) A list of foreign countries in which it is intended to conduct sales demonstrations, together with the expected dates and duration of such demonstrations, is included in the application;

(5) The person to whom the special export certificate of airworthiness was issued requests that items 3 and 4 on his application (FAA Form 306) be completed by the agency when title to an aircraft passes to a foreign purchaser;

(6) Special requirements, which may have been imposed by each of the prospective importing countries, are met; and

(7) All other requirements for the issuance of a Class I export certificate of airworthiness are met.

NOTE: The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Secs. 313(a), 601, 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, and 1423)

Issued in Washington, D.C., on June 24, 1965.

N. E. HALABY,
Administrator.

[F.R. Doc. 65-6926; Filed, July 1, 1965; 8:46 a.m.]

[Docket No. 2029; Amdt. 23-2, 25-6]

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

Limited Weight Credit for Airplanes Equipped With Standby Power

The purpose of this amendment is to provide a limited increase in the maximum certificated takeoff and landing weights for airplanes equipped with rocket engines used to provide standby power. This action was published as a notice of proposed rule making and circulated as Federal Aviation Notice No. 63-41 (28 F.R. 11481), October 26, 1963.

Standby power is obtained from rocket engines and is separate from the power obtained from the airplanes' main engines. Standby power is available for a relatively short time for use in cases of emergency. Since this power is capable of producing a temporary increase in airplane climb performance, it can be useful in the takeoff and landing regimes of flight where its temporary nature is not a deterrent to its use.

Under currently effective regulations, there are instances when operators of transport category as well as nontransport category airplanes with a standby power rocket engine installed, must accept a decrease in the useful load of the airplane at least equal to the weight of the standby power installation. This regulation provides a means of restoring this loss in recognition of the potential increase in airplane climb performance afforded by standby power.

An applicant for an increase in the maximum weight in accordance with this regulation is required to present an approved standby power installation and to furnish certain limitations and information in the form of placards or Airplane Flight Manual amendments.

Interested persons have been given an opportunity to comment on this regulation and consideration has been given to all relevant matter presented. In this connection, the notice of proposed rule making would have required a placard containing a precaution concerning the potential fire hazard of the hot standby power rocket engine casing. However, based upon some of the comments, the Agency has now determined that the casings of the rocket engines used for standby power do not, immediately following the firing, attain temperatures as high as had been anticipated. Therefore, there does not appear to be a potential fire hazard with respect to such casings. For this reason, the proposed placard is not required in the final rule.

There were also comments objecting to the proposal insofar as it limited the increase in weight for multiengine airplanes to an amount which, together with the currently approved maximum weights, would equal the weight at which compliance is shown with the applicable one-engine-inoperative final takeoff or en route climb requirements with the standby power rocket engine inoperative. After further consideration of this provision, it now appears that there is a significant improvement in the one-engine-inoperative takeoff flight path due to thrust augmentation from the standby power, while at the same time there is only a small decrease in the subsequent one-engine-inoperative climb performance resulting from the weight and drag of the standby power rocket engine installation. Later stages of the en route operation are not considered critical since the progressive weight decrease of the airplane due to fuel burnoff compensates for the effects of drag created by the standby power rocket engine installation. Furthermore, service experience with airplanes which have been approved for an increased weight with a standby power installation does not indicate that the proposed limitation is necessary. For the foregoing reasons, the proposed limitation is not included in the final rule.

Another change being made concerns the weight which may be increased under this regulation. As proposed, there could have been an increase in the currently approved maximum takeoff and landing weights at which compliance with the applicable first minute and normal climb performance has been shown. However, the Agency now considers the requirement to be unnecessarily restrictive. For this reason, such a limitation is not contained in the final rule.

There was also a comment indicating that information should be made available to airport fire and rescue personnel concerning the precautions, if any, that should be taken with unused propellants in case of a fire. While this comment goes beyond the scope of this notice, it should be noted that on the basis of impact tests and fire tests with rocket engines, it does not appear that any special precautions would be necessary over and above those which would normally be exercised with respect to fires involving aircraft without standby power rocket engine installation. Tests in which rocket engines have been dropped from considerable heights above the ground have shown that the rocket engine propellant would neither explode nor ignite on impact. Other tests in which rocket engines have been placed in a bed of fire have shown that the propellant would ignite after the rocket engine was exposed to the flames for a relatively long period of time, but the severity of the burning propellant was considered to be no greater than that of a gasoline fire. In addition, the burning propellant did not cause the rocket engine to explode or to become a projectile.

Certain of the comments expressed the opinion that the regulation should require a flight demonstration of the performance capability and safety of operation of the airplane at the increased maximum weight with standby power inoperative rather than confining the flight demonstration to a showing that the rocket engines and their controls can be operated safely and reliably at the increase in maximum weight. The Agency recognizes that both the drag of the inoperative rocket engine and the increased weight for the standby power installation will, to some extent, reduce the performance of the airplane in all flight regimes. However, experience with airplanes which have been granted limited weight credit for rocket engine installation does not indicate a significant reduction in performance or that the limited weight increase adversely affects safety. Furthermore, when the rocket engines are operated, the climb performance is significantly improved over that of the same type airplanes wtihout rocket engines. This characteristic is ensured by the formula set forth in these amendments. Therefore, it is not considered that a flight demonstration is necessary.

Should a unique installation be presented which has high drag and deleterious effects on performance, the required flight test of the rocket engine installation, which would involve a flight demonstration of the airplane, would give flight test personnel adequate opportunity to detect any unsafe condition.

A minimum "fail safe" requirement for all standby power installations in the form of dual rockets capable of being controlled and operated independently of each other was also suggested. While credit for the installation of more than one rocket engine would be permitted under this regulation, it is considered that such installation should be optional with the applicant. Adequate reliability will be assured for the rocket engine and its installation by the requirements that the rocket engine be type certificated, that the reliability of the installation be demonstrated, and that a safe-line limitation be observed for the rocket engine. The Agency does not believe that it is either appropriate or necessary in the interest of safety to require the installation of dual rockets.

A suggestion was made that the proposed regulation be changed to permit a weight increase of 2 percent above the maximum structural weight established for the airplane without standby power installed. In support of this suggestion, it was pointed out that fuel burnoff during taxiing, takeoff, and climb would compensate for a good part of the weight of the standby power installation before the airplane reaches its cruising speed. The Agency is aware that there may be airplanes which have a structural margin of at least 2 percent of their maximum structural weight. However, there may be others that were designed to the limits of the structural standards and the structural margin, if any, cannot be readily determined for each airplane. Furthermore, the temporary increase in climb performance which is available with standby power does not justify lowering the minimum structural standards.

Under Notice 63–41, the regulations concerning limited weight credit for airplanes equipped with standby power would have been set forth in a Special Civil Air Regulation. However, the regulations have subsequently been recodified and it has been determined that the provisions of Notice 63–41 should be incorporated into the airworthiness parts (Parts 23 and 25) of the Federal Aviation Regulations rather than in a special regulation. It is also considered appropriate to simultaneously incorporate the requirements of Special Federal Aviation Regulation SFAR–14 (formerly SR–426), "Performance Credit For Transport Category Airplanes Equipped With Standby Power", into Part 25 of the Federal Aviation Regulations. Since this action merely continues an existing regulation without substantive change and imposes no additional burden on any person, notice and public procedure thereon are unnecessary.

The result of incorporating the proposal into Part 23 of the FARs would be to exclude from its coverage those aircraft certificated under Part 4a of the Civil Air Regulations. However, the Agency has determined that there is a possibility that the operators of such aircraft may wish to take advantage of the increased weights authorized by this Amendment. Therefore a paragraph has been added to Appendix E of Part 23 to the effect that Part 4a aircraft may, for the purposes of increased weights due to standby power, be treated as if they had been certificated under Part 3 of the Civil Air Regulations or Part 23 of the Federal Aviation Regulations. This will permit operators of Part 4a aircraft to avail themselves of the privileges of this regulation to the same extent as operators of Part 3 (CAR) or Part 23 (FAR) aircraft.

The regulations covered by Notice 63–41 and the requirements of former SFAR–14 are both being set forth in new Appendixes to Parts 23 and 25. Appropriate references to these Appendixes have been made in the provisions of Parts 23 and 25 concerning the limitations on maximum weights in order to permit the continued use of the provisions of former SFAR–14 in determining maximum weights and to permit limited increases in such weights as proposed in Notice 63–41.

These amendments are made under the authority of sections 313(a), 601, 603, 604, and 605 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, 1424, 1425).

In consideration of the foregoing, SFAR–14 is hereby rescinded and Parts 23 and 25 of the Federal Aviation Regulations (14 CFR 23 and 25), are amended as follows, effective August 1, 1965:

1. Section 23.25(a)(1)(iii) is amended to read as follows:

§ 23.25 Weight limits.

(a) *Maximum weight.* * * *

(1) * * *

(iii) The highest weight at which compliance with each applicable flight requirement is shown, except for airplanes equipped with standby power rocket engines, in which case it is the highest weight established in accordance with Appendix E of this part.

* * * * *

2. Part 23 is amended by adding the following new appendix at the end thereof:

Appendix E—Limited Weight Credit For Airplanes Equipped With Standby Power

(a) Each applicant for an increase in the maximum certificated takeoff and landing weights of an airplane equipped with a type-certificated standby power rocket engine may obtain an increase as specified in paragraph (b) if—

(1) The installation of the rocket engine has been approved and it has been established by flight test that the rocket engine and its controls can be operated safely and reliably at the increase in maximum weight; and

(2) The Airplane Flight Manual, or the placard, markings or manuals required in place thereof, set forth in addition to any other operating limitations the Administrator may require, the increased weight approved under this regulation and a prohibition against the operation of the airplane at the approved increased weight when—

(i) The installed standby power rocket engines have been stored or installed in excess of the time limit established by the manufacturer of the rocket engine (usually stenciled on the engine casing); or

(ii) The rocket engine fuel has been expended or discharged.

(b) The currently approved maximum takeoff and landing weights at which an airplane is certificated without a standby power rocket engine installation may be increased by an amount which does not exceed any of the following:

(1) An amount equal in pounds to 0.014 IN, where I is the maximum usable impulse in pounds-seconds available from each standby power rocket engine and N is the number of rocket engines installed.

(2) An amount equal to 5 percent of the maximum certificated weight approved in accordance with the applicable airworthiness regulations without standby power rocket engines installed.

(3) An amount equal to the weight of the rocket engine installation.

(4) An amount that, together with the currently approved maximum weight, would equal the maximum structural weight established for the airplane without standby rocket engines installed.

(c) For the purposes of this Appendix, "standby power" is power or thrust, or both, obtained from rocket engines for a relatively short period and actuated only in cases of emergency.

(d) For the purposes of limited weight credit for airplanes equipped with standby power, as set forth in § 23.25(a)(1)(iii) and this Appendix, an airplane certificated under Part 4a of the Civil Air Regulations is treated as if it had been certificated under Part 3 of the Civil Air Regulations or Part 23 of the Federal Aviation Regulations.

3. Section 25.25(a)(3) is amended to read as follows:

§ 25.25 Weight limits.

(a) *Maximum weight.* * * *

(3) The highest weight at which compliance with each applicable flight requirement is shown, except for airplanes equipped with standby power rocket engines, in which case it is the highest weight established in accordance with Appendix E of this part.

* * * * *

4. Section 25.59 is amended by adding the following new paragraph at the end thereof:

§ 25.59 Takeoff path.

* * * * *

(c) For airplanes equipped with standby power rocket engines, the takeoff path may be determined in accordance with section II of Appendix E.

5. Section 25.111 is amended by adding the following new paragraph at the end thereof:

§ 25.111 Takeoff path.

* * * * *

(e) For airplanes equipped with standby power rocket engines, the takeoff path may be determined in accordance with section II of Appendix E.

6. Part 25 is amended by adding the following new Appendix at the end thereof:

Appendix E

I—Limited Weight Credit For Airplanes Equipped With Standby Power

(a) Each applicant for an increase in the maximum certificated takeoff and landing weights of an airplane equipped with a type-certificated standby power rocket engine

may obtain an increase as specified in paragraph (b) if—

(1) The installation of the rocket engine has been approved and it has been established by flight test that the rocket engine and its controls can be operated safely and reliably at the increase in maximum weight; and

(2) The Airplane Flight Manual, or the placard, markings or manuals required in place thereof, set forth in addition to any other operating limitations the Administrator may require, the increased weight approved under this regulation and a prohibition against the operation of the airplane at the approved increased weight when—

(i) The installed standby power rocket engines have been stored or installed in excess of the time limit established by the manufacturer of the rocket engine (usually stenciled on the engine casing); or

(ii) The rocket engine fuel has been expended or discharged.

(b) The currently approved maximum takeoff and landing weights at which an airplane is certificated without a standby power rocket engine installation may be increased by an amount that does not exceed any of the following:

(1) An amount equal in pounds to 0.014 IN, where I is the maximum usable impulse in pounds-seconds available from each standby power rocket engine and N is the number of rocket engines installed.

(2) An amount equal to 5 percent of the maximum certificated weight approved in accordance with the applicable airworthiness regulations without standby power rocket engines installed.

(3) An amount equal to the weight of the rocket engine installation.

(4) An amount that, together with the currently approved maximum weight, would equal the maximum structural weight established for the airplane without standby rocket engines installed.

II—Performance Credit for Transport Category Airplanes Equipped With Standby Power

The Administrator may grant performance credit for the use of standby power on transport category airplanes. However, the performance credit applies only to the maximum certificated takeoff and landing weights, the takeoff distance, and the takeoff paths, and may not exceed that found by the Administrator to result in an overall level of safety in the takeoff, approach, and landing regimes of flight equivalent to that prescribed in the regulations under which the airplane was originally certificated without standby power. For the purposes of this Appendix, "standby power" is power or thrust, or both, obtained from rocket engines for a relatively short period and actuated only in cases of emergency. The following provisions apply:

(1) *Takeoff; general.* The takeoff data prescribed in §§ (2) and (3) must be determined at all weights and altitudes, and at ambient temperatures if applicable, at which performance credit is to be applied.

(2) *Takeoff path.*

(a) The one-engine-inoperative takeoff path with standby power in use must be determined in accordance with the performance requirements of the applicable airworthiness regulations.

(b) The one-engine-inoperative takeoff path (excluding that part where the airplane is on or just above the takeoff surface) determined in accordance with paragraph (a) of this section must lie above the one-engine-inoperative takeoff path without standby power at the maximum takeoff weight at which all of the applicable airworthiness requirements are met. For the purpose of this comparison, the flight path is considered to extend to at least a height of 400 feet above the takeoff surface.

(c) The takeoff path with all engines operating, but without the use of standby power, must reflect a conservatively greater overall level of performance than the one-engine-inoperative takeoff path established in accordance with paragraph (a) of this section. The margin must be established by the Administrator to insure safe day-to-day operations, but in no case may it be less than 15 percent. The all-engines-operating takeoff path must be determined by a procedure consistent with that established in complying with paragraph (a) of this section.

(d) For reciprocating-engine-powered airplanes, the takeoff path to be scheduled in the Airplane Flight Manual must represent the one-engine-inoperative takeoff path determined in accordance with paragraph (a) of this section and modified to reflect the procedure (see § (6)) established by the applicant for flap retraction and attainment of the en route speed. The scheduled takeoff path must have a positive slope at all points of the airborne portion and at no point must it lie above the takeoff path specified in paragraph (a) of this section.

(3) *Takeoff distance.* The takeoff distance must be the horizontal distance along the one-engine-inoperative takeoff path determined in accordance with § (2)(a) from the start of the takeoff to the point where the airplane attains a height of 50 feet above the takeoff surface for reciprocating-engine-powered airplanes and a height of 35 feet above the takeoff surface for turbine-powered airplanes.

(4) *Maximum certificated takeoff weights.* The maximum certificated takeoff weights must be determined at all altitudes, and at ambient temperatures, if applicable, at which performance credit is to be applied and may not exceed the weights established in compliance with paragraphs (a) and (b) of this section.

(a) The conditions of § (2) (b) through (d) must be met at the maximum certificated takeoff weight.

(b) Without the use of standby power, the airplane must meet all of the en route requirements of the applicable airworthiness regulations under which the airplane was originally certificated. In addition, turbine-powered airplanes without the use of standby power must meet the final takeoff climb requirements prescribed in the applicable airworthiness regulations.

(5) *Maximum certificated landing weights.*

(a) The maximum certificated landing weights (one-engine-inoperative approach and all-engines-operating landing climb) must be determined at all altitudes, and at ambient temperatures if applicable, at which performance credit is to be applied and must not exceed that established in compliance with paragraph (b) of this section.

(b) The flight path, with the engines operating at the power or thrust, or both, appropriate to the airplane configuration and with standby power in use, must lie above the flight path without standby power in use at the maximum weight at which all of the applicable airworthiness requirements are met. In addition, the flight paths must comply with subparagraphs (i) and (ii) of this paragraph.

(i) The flight paths must be established without changing the appropriate airplane configuration.

(ii) The flight paths must be carried out for a minimum height of 400 feet above the point where standby power is actuated.

(6) *Airplane configuration, speed, and power and thrust; general.* Any change in the airplane's configuration, speed, and power or thrust, or both, must be made in accordance with the procedures established by the applicant for the operation of the airplane in service and must comply with paragraphs (a) through (c) of this section. In addition, procedures must be established for the execution of balked landings and missed approaches.

(a) The Administrator must find that the procedure can be consistently executed in service by crews of average skill.

(b) The procedure may not involve methods or the use of devices which have not been proven to be safe and reliable.

(c) Allowances must be made for such time delays in the execution of the procedures as may be reasonably expected to occur during service.

(7) *Installation and operation; standby power.* The standby power unit and its installation must comply with paragraphs (a) and (b) of this section.

(a) The standby power unit and its installation must not adversely affect the safety of the airplane.

(b) The operation of the standby power unit and its control must have proven to be safe and reliable.

Issued in Washington, D.C., on June 24, 1965.

N. E. HALABY,
Administrator.

[F.R. Doc. 65-6927; Filed, July 1, 1965; 8:46 a.m.]

[Docket No. 6463; Amdt. 39-104]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Models 707 and 720 Series Aircraft

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring that further corrective action be taken with regard to the inspection for cracks, and replacement where necessary, of the flap carriages on the subject aircraft, in accordance with the manufacturer's latest Service Bulletin Revision and to allow compliance to be determined based on actual count of landings or an estimate based on the fleet average time on the subject aircraft was published in 30 F.R. 1297.

Interested persons have been afforded an opportunity to participate in the making of the amendment.

A comment suggested that compliance be allowed in accordance with the manufacturer's Service Bulletin or later FAA approved revisions. This suggestion has been accepted and incorporated in the AD.

Another comment requested an increase in the compliance time from 250 hours to 600 hours on the basis that the 250-hour period is unreasonably conservative and unwarranted. The 250-hour interval was selected on the basis of very limited service experience and on good engineering judgment. It was intended to be conservative because of the limited data available. Since no substantiating technical data was offered with the comment, the Agency feels it cannot increase the compliance time.

Another comment suggested that the Airworthiness Directive that would be amended by this proposal be canceled and superseded by a new AD that incorporated these revisions.

The Agency concurs in this view and therefor this revision completely restates the AD and supersedes Amendment 795 (29 F.R. 11745), AD 64-18-2, as revised by Amendment 825 (29 F.R. 14538).

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BOEING. Applies to Models 707 and 720 Series Aircraft listed in Boeing Service Bulletin No. 1822 (R-2).

Compliance required as indicated.

Fatigue cracks have occurred in the lower flanges and web of the outboard flap center carriage, and at the aft attachment of the cam (cove lip door up latch roller cam) to the lower flange on one carriage half. Complete rupture of a carriage can cause the loss of a flap in flight. The Boeing part numbers of the affected parts are listed in Table I of Boeing Service Bulletin No. 1822 (R-2). To preclude the loss of a flap in flight, accomplish the following:

(a) Unless previously modified in accordance with Boeing Service Bulletins Nos. 1822 (R-1) and 1822 (R-1)A or Boeing Service Bulletins Nos. 1535 and 1882 and Boeing Drawing 65-37509, inspect for crack in flap carriages of the inboard and outboard flaps in accordance with Boeing Service Bulletin No. 1822 (R-2), subparagraphs 3. Part Ib. (1), (2), and (3) as follows:

(1) Within the next 25 landings after the effective date of this AD for flap carriages installed on aircraft for 4,000 or more landings on the effective date of this AD, and before the accumulation of 4,025 landings for flap carriages installed on aircraft for less than 4,000 landings on the effective date of this AD, unless already accomplished within the last 175 landings.

(2) Conduct repetitive inspections on the following carriages at intervals not to exceed 200 landings from the last inspection:

(i) The center carriages on outboard flaps of 707-100, -100B, -200, -300, -300B, -300C, and -400, and -720 and -720B Series Aircraft.

(ii) The center carriages on inboard flaps of 707-100, -100B, -200, -720 Series and -720B Series Aircraft.

NOTE: The repeat inspection is not required on any end carriages.

(b) If cracks are found, replace the carriage or rework it in accordance with the rework instructions in Part II of Par. 3, Boeing Service Bulletin No. 1822 (R-2) before further flight, except that the aircraft may be flown in accordance with FAR 21.197 to a base where the repair may be made subject to the limitations specified in subparagraphs 3, Part Ib. (4) (a) through (g) of Boeing Service Bulletin No. 1822 (R-2). If end carriages are cracked, approval of the special flight permit shall be coordinated with the Aircraft Engineering Division, FAA Western Region.

(c) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each aircraft's hour's time in service by the operator's fleet average time from takeoff to landing for the aircraft type.

(d) On all aircraft having flap carriage drain holes previously reworked in accordance with Boeing Service Bulletins Nos. 1822 (R-1) and 1822 (R-1)A, accomplish the following:

(1) Within the next 250 hours' time in service after the effective date of this AD, unless already accomplished, perform a one-time dye penetrant, eddy current, or FAA-approved equivalent inspection of the area surrounding reworked drain holes to ensure that no cracks have developed.

(2) If cracks are found, replace the carriage or rework it in accordance with paragraph (b) of this AD.

(e) The repetitive inspections specified in subparagraph (a)(2) may be discontinued when the rework specified in Part II of paragraph 3, of Boeing Service Bulletin No. 1822 (R-2) is accomplished.

(f) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Engineering Division, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to allow compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This supersedes Amendment 795 (29 F.R. 11745), AD 64-18-2, as amended by Amendment 825 (29 F.R. 14538).

This amendment becomes effective August 1, 1965.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 25, 1965.

G. S. MOORE,
Director, Flight Standards Service.

[F.R. Doc. 65-6928; Filed, July 1, 1965; 8:49 a.m.]

[Airspace Docket No. 65-WA-41]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Control Area, Modification of Control Area, and Revocation of Reporting Point

In consonance with ICAO International Standards and Recommended Practices, the Federal Aviation Agency (FAA) is amending Part 71 of the Federal Aviation Regulations. This action relates to navigable airspace both within and outside the United States.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state the United States agreed by Article 3(d) that its state aircraft will be operating in international airspace with due regard for the safety of civil aircraft.

Since this action involves in part the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance wih the provisions of Executive Order 10854.

Aircraft operating NE of Nantucket, Mass., toward Sable Island, Nova Scotia, Canada, to Europe operate within controlled airspace E of longitude 68°00'00" W., within the New York Oceanic Control Area. Effective July 22, 1965, the western boundary of the New York Oceanic Control Area will be moved eastward approximately 50 miles. Such action would result in uncontrolled airspace between the present New York Oceanic Control Area boundary and the boundary to become effective July 22, 1965.

In a Special North Atlantic Regional Air Navigation Meeting held February 23, 1965, to March 20, 1965, the United States concurred with the realignment of the boundary of the New York Oceanic Control Area. The purpose of this boundary change is to improve the handling of oversea traffic by the application of domestic air traffic control procedures. Therefore, action is taken herein to provide controlled airspace between Nantucket and longitude 67°00'00" W., which, effective July 22, 1965, will be the domestic boundary between the Boston and Moncton ARTC Centers.

Since the action taken herein is in accord with the U.S. commitment made at the Special North Atlantic Regional Air Navigation Meeting, and since the action is necessary for safety of air navigation, the Administrator finds that the notice and public procedure is impracticable and it is in the public interest to make the airspace assignment effective less than thirty (30) days.

The eastern portion of Control 1142 is bounded by the western boundary of the New York Oceanic Control Area. Since this boundary will be moved approximately 50 miles eastward on July 22, 1965, action is also taken herein to retain the present geographical dimensions of this control area W of 68° W longitude and amend the description as necessary to permit flight planning via Control 1142 and the route to Sable Island.

Action is also taken herein to revoke the Eel Intersection as a designated reporting point, since it has been determined that it is no longer required for traffic control purposes.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

1. In § 71.163 (29 F.R. 17552, 30 F.R. 2763) Control 1142 and Control 1146 are amended or added to read as follows:

a. Control 1142.

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered at latitude 42°21'30" N., longitude 70°41'25" W., to a 15-mile radius circle centered at latitude 42°02'00" N., longitude 68°00'00" W., and that airspace within lines drawn from latitude 42°16'00" N., longitude 68°00'00" W., thence to latitude 42°14'00" N., longitude 67°00'00" W., thence to latitude 41°52'00" N., longitude

67°00'00" W., thence to latitude 41°46'00" N., longitude 68°00'00" W., thence to latitude 42°16'00" N., longitude 68°00'00" W., excluding the portion within the Boston Control Area extension, the airspace below 5,500 feet MSL E of longitude 68°00'00" W., and the airspace below 2,000 feet MSL W of longitude 68°00'00" W., except that airspace within the confines of Federal airways.

b. Control 1146.

That airspace within a 5 NM radius circle centered on the Nantucket, Mass., Consolan and that airspace bounded by a line drawn from the tangent of the 5 NM radius circle centered on Nantucket Consolan to latitude 42°05'20" N., longitude 68°00'00" W., thence to latitude 42°19'00" N., longitude 68°00'00" W., thence to latitude 43°00'00" N., longitude 67°00'00" W., thence to latitude 41°52'00" N., longitude 67°00'00" W., thence to latitude 41°46'00" N., longitude 68°00'00" W., thence to the tangent of the 5 NM radius circle centered on the Nantucket Consolan, excluding that airspace outside the United States below 2,000 feet MSL W of longitude 68°00'00" W., and below 5,500 feet MSL E of longitude 68°00'00" W.

2. In § 71.209 (29 F.R. 17721) Eel INT is revoked.

(Sec. 307(a) Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 25, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-6929; Filed, July 1, 1965; 8:49 a.m.]

[Airspace Docket No. 65-CE-48]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 29, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6077) stating that the Federal Aviation Agency proposed to designate controlled airspace at Robinson, Ill.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth:

In § 71.181 (29 F.R. 17643) the following is added:

ROBINSON, ILL.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Robinson, Ill., Municipal Airport (latitude 39°00'51" N., longitude 87°38'47" W.) and within 8 miles SW and 5 miles NE of the 333° bearing from Robinson Municipal Airport extending from the airport to 12 miles NW of the airport.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on June 23, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-6930; Filed, July 1, 1965; 8:49 a.m.]

[Airspace Docket No. 65-SO-41]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Transition Area; Correction of Description

The purpose of this amendment to § 71.181 of the Federal Aviation Regulations is to correct the description of the transition area at Macon, Ga.

The Macon, Ga., transition area (29 F.R. 17643) is described, in part, as "* * * within the area E of Macon extending from the 35-mile radius area bounded on the NE by V-56, on the N by a line * * *" This portion of the Macon transition area description is in error and should be "* * * within the area E of Macon extending from the 35-mile radius area bounded on the NW by V-56, on the N by a line * * *"

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Macon, Ga., transition area is amended as follows:

"* * * within the area E of Macon extending from the 35-mile radius area bounded on the NE by V-56 * * *" is deleted and "* * * within the area E of Macon extending from the 35-mile radius area bounded on the NW by V-56 * * *" is inserted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on June 23, 1965.

PAUL H. BOATMAN,
Acting Director, Southern Region.

[F.R. Doc. 65-6931; Filed, July 1, 1965; 8:49 a.m.]

[Airspace Docket No. 65-WE-61]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to § 71.181 of the Federal Aviation Regulations is to alter the Gunnison, Colo., transition area.

The Gunnison transition area is presently designated as that airspace extending upward from 1,200 feet above the surface within 7 miles N and 10 miles S of the Gunnison VORTAC 264° and 084° radials, extending from 20 miles W to 9 miles E of the VORTAC, excluding the airspace within Federal airways.

A comprehensive review of the airspace requirements in the Gunnison area has disclosed that there is no longer an air traffic control requirement for controlled airspace to the extent presently designated.

Therefore, the FAA has determined that it will be in the public interest and in keeping with the intent of CAR Amendment 60-21/60-29 to redesignate the Gunnison transition area. Such action is taken herein.

Since the change effected by this amendment is less restrictive in nature than present requirements and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER as hereinafter set forth.

In § 71.181 (29 F.R. 17667), the Gunnison, Colo., transition area is amended to read:

GUNNISON, COLO.

That airspace extending upward from 11,200 feet MSL within 8 miles S and 5 miles N of the Gunnison VORTAC 270° and 090° radials, extending from 12 miles W to 7 miles E of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on June 24, 1965.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 65-6932; Filed, July 1, 1965; 8:45 a.m.]

[Airspace Docket No. 64-EA-3]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Route and Designation of High Altitude Reporting Point

On May 8, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6443) stating that the Federal Aviation Agency (FAA) proposed to alter Jet Route No. 42 between Nashville, Tenn., and Front Royal, Va., via London, Ky., and Beckley, W. Va.; and to designate London and Beckley as high altitude reporting points.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable. The Air Transport Association of America (ATA), while concurring with the proposal, suggested realignment of this portion of Jet Route No. 42 from Nashville via Beckley to Front Royal without use of London. This suggestion will be considered later as a separate proposal.

Airspace Docket No. 64-EA-54, published in the FEDERAL REGISTER on June 15, 1965 (30 F.R. 7702), and effective July 22, 1965, realigns Jet Route Nos. 6 and 8 from Front Royal, Va., via Westminster, Md., and Yardley, Pa., to Kennedy, N.Y. Jet Route No. 42 is currently aligned northeast of Front Royal via Yardley to Kennedy. Although not considered in the notice of proposed rule making, action is taken herein to realign Jet Route No. 42 between Front Royal and Yardley via Westminster. This change in the route alignment is negligi-